

REMARKS

In the patent application, claims 1, 5, 7-31 are pending. In the office action, claims 10, 15 and 23 are allowed, and claims 1, 5, 7-9, 11-14, 16-22, 24-31 are rejected.

Applicant has amended claim 26, cancelled claims 30 and 31, and added new claims 32 – 34.

Claim 26 has been amended to replace the term “measuring means” by “measurement module”. The support for the amendment can be found in claim 24.

Claims 32 – 34 are dependent from claims 1, 17 and 24, respectively, and include a further limitation that the change in the first amount of light and the second amount of light is an increased amount when the object is present at the touch pad device. The support for the amendment can be found in Figure 1. As shown in Figure 1, light received by the receiver 30 is from the reflection by the object 100 of the light beam 110, 120 emitted from transmitters 10, 20. When the object 100 is not present, there are no reflected beams 112, 122 from the object 100. Thus, when the object 100 is present at the touch pad 5, the first amount of light and the second amount of light received by the light receiver are increased. No new matter has been introduced.

At section 3, claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for lacking proper antecedent basis.

Applicant has replaced the term “measuring means” by “measurement module”. The term “measurement module” can be found in claim 24.

At section 5 of the office action, claims 1, 5, 7-9, 11-14, 16-18, 21, 22, 24, 26-28, 30 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by *Johnson et al.* (U.S. Patent No. 3,673,327, hereafter referred to as *Johnson*). In rejecting those claims, the Examiner alleges that *Johnson* discloses a touch pad device as claimed.

It is respectfully submitted that *Johnson* discloses a touch panel over the face of a CRT wherein the touch panel is a light guide for transmitting light emitted from one or more light emitters to one or more receivers. Light transmission in the light guide is based on Total Internal Reflection (TIR) (Figure 4) when light from a light source 43 is coupled through a prism into the light guide 13. Transmitted light 23 is detected by a detector 49 through the coupling of a prism

53. Upon pressing a light interrupting object against the surface of the light guide 13 along the path of the light beam 23, the TIR is partially interrupted and the received beam is attenuated. (col.3, lines 34-40). Alternatively, light from a light source 21 is coupled into the light guide 13 from one end of the light guide 13 (Figure 5). In that case, light transmission in the light guide is partly by TIR and partly by direct transmission. When the light guide surface is compressed by the pressing of a light-interrupting object 58, the light beam 23 is blocked (col. 3, lines 57-62).

In contrast, the claimed invention uses the change in the amount of light emitted by the light emitters and reflected by the object as received by the receiver, wherein the change is increased when the object is present at the touch pad device.

The above reasons, claims 1, 17 and 24 are distinguishable over the cited *Johnson* reference.

Applicant has cancelled claims 30 and 31.

As for claims 7-9, 11-14, 16, 18, 21, 22 and 26-28, they are dependent from claims 1, 17 and 24 and recite features not recited in claims 1, 14 and 24. For reasons regarding claims 1, 17 and 24 above, it is respectfully submitted that claims 7-9, 11-14, 16, 18, 21, 22 and 26-28 are also distinguishable over the cited *Johnson* reference.

At section 7, claims 19, 20, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Johnson*.

It is respectfully submitted that claims 19, 20, 25 and 29 are dependent from claims 17 and 24 and recite features not recited in claims 17 and 24. For reasons regarding claims 17 and 24 above, claims 19, 20, 25 and 29 are also distinguishable over the cited *Johnson* reference.

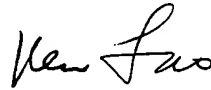
As for new claims 32-34, they are dependent from claims 1, 17 and 24 and include the further limitation that the change in the first and second amounts of light is an increased amount when the touching object is present at the touch pad. *Johnson* does not disclose or even suggest that the change in the received amount of light is increased when the light interruption object is present at the touch pad. In contrast, *Johnson* discloses that the received amount of light by the receiver is reduced or the received light is blocked. For this reason and reasons regarding claims

1, 17 and 24 above, it is respectfully submitted that claims 32 – 34 are also distinguishable over the cited *Johnson* reference.

CONCLUSION

Claims 1, 5, 7-9, 11-14, 16-22, 24-29 and 32-34 are allowable over the cited reference. Early allowance of these claims is earnestly solicited.

Respectfully submitted,



Kenneth Q. Lao
Attorney for the Applicant
Registration No. 40,061

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955